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Approved: Rachel Maimin

RACHEL MAIMIN/MICAH SMITH/ROBERT ALLEN/HAGAN SCOTTEN
Assistant United States Attorneys

Before: THE HONORABLE FRANK MAAS
United States Magistrate Judge
Southern District of New York

U.S. DISTRICT COURT FILED FEB 11 2016 S.D. OF N.Y.

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UNITED STATES OF AMERICA : COMPLAINT

- v. - : Violations of 18 U.S.C. § 922(k)

MARQUIS SOUTHWELL, :

COUNTY OF OFFENSE:

Defendant. : BRONX

:

- x

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SOUTHERN DISTRICT OF NEW YORK, ss.:

JOHN URENA, being duly sworn, deposes and says that he is a Detective with the New York City Police Department (the "NYPD") and charges as follows:

COUNT ONE

1. On or about February 10, 2016, in the Southern District of New York and elsewhere, MARQUIS SOUTHWELL, the defendant, knowingly transported, shipped, and received a firearm which has had the importer's and manufacturer's serial number removed, obliterated, and altered, and which at any time had been shipped and transported in interstate and foreign commerce, to wit, SOUTHWELL possessed a loaded .357 magnum revolver with an obliterated serial number in the Bronx, New York.

(Title 18, United States Code, Section 922(k).)

The bases for deponent's knowledge and for the foregoing charges are, in part, as follows:

2. I am a Detective with the NYPD and am one of the law enforcement officers with primary responsibility for this investigation. This affidavit is based upon my own

observations, my conversations with other law enforcement agents and others, and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. I have spoken to a Police Officer with the NYPD ("Officer-1"), who told me the following, in substance and in part:

a. On or about February 10, 2016, at approximately 9 p.m., Officer-1 was on patrol with his partner ("Officer-2") inside a particular public housing apartment building on Morris Avenue in the Bronx, New York (the "Building").

b. While on patrol on the second floor of the Building, Officer-1 and Officer-2 saw three males, including an individual later identified as MARQUIS SOUTHWELL, the defendant. Officer-1 observed SOUTHWELL with a firearm (the "Firearm") in SOUTHWELL's right hand. Officer-1 then observed SOUTHWELL attempt to conceal the Firearm in SOUTHWELL's jacket.

c. Officer-1 and Officer-2 placed SOUTHWELL under arrest. As SOUTHWELL was being placed under arrest, Officer-2 asked SOUTHWELL, in substance and in part, where the firearm was, and SOUTHWELL stated that it was in his left pocket.

d. Officer-1 searched SOUTHWELL's left pocket and found, a.357 magnum revolver manufactured by Rossi. The firearm was loaded with six .38 caliber live rounds (the "Firearm"). The serial number on the Firearm had been scratched off.

4. I have spoken to a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, who has extensive training in the identification and origin of firearms and ammunition, from whom I have learned that the Firearm was not manufactured in the State of New York.

5. WHEREFORE, deponent respectfully requests that MARQUIS SOUTHWELL, the defendant, be imprisoned or bailed, as the case may be.

John Urena
Detective
New York City Police Department

Sworn to before me this
11th day of February 2016

THE HONORABLE FRANK MAAS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK